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09/856387

10 RE 10 PCT/97/0

22 MAY 2001

## AGENT MANAGED VIRTUAL PROSPECTING

### Field of the Invention

The field of the invention is electronic direct marketing.

### Background

5        Electronic media has been used to broadcast advertising messages at least since the popularization of advertising message radio. Broadcast advertising is certainly capable of reaching huge audiences, but is difficult to customize for targeting of small groups, let alone individuals. Telephone advertising can be tailored to individual prospects by using a live sales agent, but telephone is not especially conducive to cost-effectively reaching large numbers of prospects.

10        Popularization of the rich media World Wide Web made it feasible to reach large numbers of prospects, to customize the messages, and to handle feedback from individual prospects, all in a cost effective manner. This development gave rise to the term, "virtual prospecting", which is employed herein to mean the use of electronic media to deliver 15        advertising messages directly to individual prospects. In the very recent past virtual prospecting was combined with electronic advertising messages (e-advertising messages) to provide both highly targeted messages and sophisticated tracking of prospect responses (see PCT/US97/23816, filed 12 Oct. 1999).

20        Virtual prospecting has been phenomenally successful, with numerous advertisers taking advantage of the tracking function to resolve prospect concerns and thereby turn prospects into customers. One aspect that was not previously appreciated, however, is that the ease and independence with which sales agents can distribute e-advertising messages has management consequences. For example, where distribution of e-advertising messages is charged to an advertiser on a per transmission basis, over-zealous agents can incur significant 25        charges that are not justified by increased sales. There are also management issues with respect to sales agents working from the same or overlapping lists, and sales agents making undesirable choices in matching specific messages with specific targets.

Thus, there is an ongoing need to provide management control over virtual prospecting.

## Summary of the Invention

Methods and systems of virtual prospecting are provided in which a marketing agent and a manager work together on an advertising campaign, the marketing agent selects prospects and advertising messages, and send the messages to the prospects, and the manager

5 exercises at least some control over at least one of: (a) the set of prospect information provided to the marketing agent; (b) the set of advertising messages provided to the marketing agent; and (c) an authorized number of sends allocated to the marketing agent.

In various aspects of preferred embodiments the marketing environment includes at least two tiers, and more preferably involves many marketing agents who may be employed

10 by multiple companies. The various marketing agents preferably use their own judgment in selecting prospects and advertising messages from common or at least overlapping databases, with the scope of the selections and/or sends being controlled in at least some manner by the manager.

The advertising messages can be virtually anything, from simple logos or banner ads to sophisticated video advertising messages such as those having interactive recipient interfaces, multiple pages of advertising, or cross-branding.

It is especially contemplated that recipient responses to the advertising will be tracked, and at least some of the tracking information will be provided back to the sending agents to assist the agents in both concluding sales and in improving their targeting skills.

20 Tracking may advantageously include at least one of: (a) a length of time that the recipient viewed the message; (b) a length of time that the recipient viewed a portion of the message; (c) an address to which the recipient forwarded the message; and (c) a piece of information relating to a hyperlink contained in the message and utilized by the recipient.

Various objects, features, aspects, and advantages of the present invention will 25 become more apparent from the following detailed description of preferred embodiments of the invention, along with the accompanying drawings in which like numerals represent like components.

### **Brief Description of The Drawings**

Fig. 1 is a schematic of an embodiment of an agent managed virtual prospecting system.

Fig. 2 is a flow chart of a preferred method of conducting agent managed virtual prospecting.

### **Detailed Description**

In Figure 1 a marketing environment 10 has multiple tiers including a first tier 12, a second tier 14, a third tier 16, and an nth tier 18. The first tier 12 involves only a single person, manager 22. The second, third, and nth tiers each have multiple agents 24, 26, and 28, respectively, that initiate sends (transmissions) of advertisements 35 to prospects 40, using information from a prospects database 50 and an advertising messages database 60. The manager 22 exerts at least some control over the activity of the various agents 24, 26, 28 through a restriction function 70.

In preferred embodiments, restriction function 70 operates on both the extent to which the various agents can access the prospects database 50 and the advertisements database 60, as well as the extent to which the various agents can send out advertisements 35 to recipients 40. For example, in one organization the manager 22 may divide the prospects in the prospects database 50 by agent, allowing only certain agents to access certain subsets of prospects. In the same or another organization the manager 22 may limit some agents to sending out a thousand advertisements 35 per day, while others are limited to only sending out five hundred advertisements 35 per day. Additionally or alternatively, there may be similar access and activity limitations on the total downstream structure for specific given agents. There may also be multiple managers, that control different or overlapping downstream structures.

The marketing environment 10 is to be construed very broadly, and includes any environment that operates collectively to run an advertising campaign. The marketing environment 10 may thus comprise an advertiser, a single marketing company, multiple companies, or multiple individuals cooperatively engaged in running the campaign. The 5 marketing environment may also comprise any combination of branch offices, divisions, inside or outside salespeople, independent contractors, distributors, and so forth, all of which may be linked together in any suitable manner. For example, elements of the marketing environment may be rigidly connected to a single mainframe in a local area network, linked by a virtual private network, or linked only in the sense that they can access common data. 10 The various tiers 12, 14, 16, and 18 are optional, and all other suitable working relationships besides the tiers as shown are contemplated. Although the various tiers 12, 14, 16, and 18 are shown as having specific numbers of marketing agents, the specific numbers of tiers and numbers of agents depicted should not be seen as being limiting in any manner.

Despite the contemplated flexibility, however, the inventive subject matter herein 15 contemplates a minimum involvement of two distinct entities, the manager 22 who may initiate sends of advertising, and at least one marketing agent that is managed by the manager. The campaign may or may not have a campaign manager per se, and even where a campaign manager is present, the manager 22 may or may not be the campaign manager. It is preferred that the manager 22 and various marketing agents would all be human beings 20 rather than machines or software, but such is not mandatory. The manager 22 may in fact, advantageously comprise a computer.

The prospects database 50 and the advertising messages databases 60 may independently be entirely proprietary to one or more of the advertisers, the marketing environment 10, individual agents, or may be obtained from an outside source. It is also 25 contemplated that the prospects database 50 may comprise some or all of a co-sponsorship database as described in PCT application serial no. PCT/US99/22952 filed October 12, 1999, which is incorporated herein by reference.

In some instances there may be only a single advertising message listed on the advertising messages database 60, but in most instances there will be a plurality of 30 advertising messages. In any event the marketing agent would usually select which advertising message to send to individual prospects based upon some additional information.

For example, a marketing agent may understand that a given prospect falls within a particular age or income range, or is a particular sex, and the selection of advertising message to send to that prospect may be made on that basis. It is also contemplated that an agent may select more than one advertising message for a given prospect.

5       With current technology the advertising messages on the advertising messages database 60 are very likely to be canned advertising messages that differ from one another by language, content, medium or in some other manner. It is contemplated, however, that the advertising messages can be dynamically customized to the prospect as set forth in PCT application serial no PCT/US99/23781, filed October 12, 1999, which is incorporated herein by reference.

10      The term "advertising message" is used herein in a very broad sense to mean any message intending to motivate a recipient to take an action favorable to an advertiser. Advertising messages may be logos, slogans, simple textual banner ads, but more preferably include rich-media graphics such as animation, a photograph or other image, or an audio tract. Still more preferred advertising messages include video and branding graphics. Especially preferred advertising messages will be those that communicate a value proposition communicated in 30 seconds or less. Currently the most preferred advertising messages include an audio tract, a video tract, branding graphics, and hyperlinks, all delivered in a single executable file. Advertising messages may also be included in a carrier having multiple pages, where the recipient can navigate between at least two of the multiple pages. These and other embodiments are as described in PCT application serial no. PCT/US99/23824, filed December 13, 1999, and U.S. Provisional application serial no. 60/159049, filed October 12, 1999, respectively, which are incorporated herein by reference. Still other preferred embodiments include "slide-show" advertising messages as described in 15 previously filed application serial no. PCT/US99/23822 corresponding to attorney docket 20 604.09, which is incorporated herein by reference.

25      The term "advertisers" is used herein in the broadest possible sense, including any entity trying to impact the thinking or behavior of others. In many instances the desired impact will include motivating the recipient to purchase goods or services. In other instances the desired impact may be to cause the recipient to vote in a given manner in an election, or a 30

poll. In still other instances the desired impact may be of a very general nature, perhaps increasing societal awareness of alcoholism.

A major advantage of electronic direct marketing is that it lends itself readily cross branding. An advertisement for vacation trips to the Bahamas may include logos for a fast food chain, or swim wear, or even television shows dealing with travel. Not only does a single message provide impression for each of the multiple marketers, but the inclusion of multiple, well-recognized brands may lend credibility to a new brand, or may lend a certain image of modernity to an older brand.

Selection of prospects and advertising messages from the prospects and advertising messages databases 50, 60 by the marketing agents is preferably accomplished using a graphical interface (not shown) that operates on a local area network (LAN) using a common workstation, laptop, or other computer (not shown). The prospects and advertising messages are preferably drawn from databases 50, 60, respectively, which can reside virtually. There may even be multiple prospects and multiple advertising messages databases.

It is especially contemplated that the various selection processes include selecting individual items as well as groups of items. Thus, the step of the marketing agent selecting the recipient may include the marketing agent selecting the recipient as part of a group of recipients. Similarly, the step of the marketing agent selecting a message includes the marketing agent selecting a plurality of messages for co-transmission to the recipient.

Throughout this application it is stated that a marketing agent takes an active role in doing various things. This term "take an active role" is employed intentionally to convey the impression that the marketing agent need not be the only entity involved. For example, if a marketing agent is assisted in selecting prospects from the prospect database 50, the marketing agent is still considered to be taking an active role in the selection. The same holds true for selecting of advertising messages and sending of the messages. Thus, it may well be that a marketing agent will send an advertising message to a prospect directly through an e-mail interface, in which the message may included in the body or header of an e-mail, or in an attachment. However, the marketing agent may alternatively only designate prospects and advertising messages, and the actual transmission of the messages is under the control of the

manager, or a third party electronic mailing house. The marketing agent taking part would still be considered to be taking an active role in the sending operation.

Suitable third party mailers are preferably high volume electronic mailing companies, that send out hundreds of thousands or even millions of messages per month. An exemplary such company is e-Commercial.com, Inc. based in Southern California, USA. The third party may or may not take part in initially producing the advertising messages, and may or may not take part in customizing the advertising messages. The third party would almost certainly charge for its services, most likely on an incremental basis as a function of the number of messages communicated to prospects, the length of the advertising messages, and so on.

Because of the high traffic involved, the third party may advantageously employ outbound trafficking technologies such as those described in PCT application serial no.

PCT/US99/22948; and U.S. Provisional applications serial nos. 60/158926, 60/158925, and 60/158993, all filed October 12, 1999, each of which is incorporated herein by reference.

Communication of the advertising message(s) to the selected prospects preferably takes place electronically via a public access network such as the Internet, but may additionally or alternatively take place by any suitable method. It is, for example, contemplated that such communication may take place, at least for some prospects, by e-mail, facsimile, or even physically carried postal type mail.

At least some of the prospects will actually receive the advertising message(s), and can be referred to as recipients. At least some of the recipients will respond to the advertising message(s) in some manner, such as by using a computer to open an e-mail, sending a return e-mail, or perhaps by clicking through a hyperlink on the advertising message to a web site (not shown). The web site may or may not belong to a corresponding advertiser, and may or may not even be hosted by the advertiser. At the web site the prospect may provide identifying information such as a name or account number, or may simply browse the web site. In any event is contemplated that some tracking information can be obtained from actions of the prospect either by interacting directly with the advertising message or its carrier, or at a web site to which the recipient links.

In a more sophisticated case, a unique identification code may be included in the advertising message or its carrier, and that code can be employed to track click- throughs,

forwarding, opening and playing of the advertising message, and so forth. The advertising message(s) may also be authenticated. The tracking is preferably performed by a tracking system, which may advantageously be hosted by a third party mailing house. Details of preferred embodiments of such tracking, including descriptions of identification codes and

5 securing of advertising messages, are described in PCT application serial no.

PCT/US99/23824, filed December 13, 1999, which is incorporated herein by reference.

A response may occur through some medium other than that used to deliver the advertising message. One simple example is where the advertising message motivates the prospect to physically visit a retail store or other outlet to make a purchase. Regardless of 10 how the prospect responds, at least some tracking information is preferably reported back to the marketing agent. Such information may be valuable in closing a sale, or at the very least in making future selections of prospects and advertising messages. One particularly 15 advantageous method of responding involves the prospect engaging an icon, button, or other trigger that sends a message back to either the originating agent or some other agent. The message may, for example, ask that the agent call the prospect on the telephone, or send additional information. A system that provides such phone response tracking is Instantcall™. As another example, the message may open a chat room type dialog between prospect and agent, such as that provided by Eyecontact™. Such responses are highly desirable because they initiate a substantially synchronous link between the prospect and the agent.

20 There is a wide range of information that can be tracked. Preferred tracking systems track at least one of the following: (a) a length of time that the recipient viewed the message; (b) a length of time that the recipient viewed a portion of the message; (c) an address to which the recipient forwarded the message; and (c) a piece of information relating to a hyperlink contained in the message and utilized by the recipient.

25 Where a third party mailer is used, the third party may tabulate or in some other manner summarize the tracking information, and provide that information back to the initiating marketing agent, or some other agent. Here again this communication most preferably occurs across a public access network such as the Internet, as depicted by arrow 230. One particularly valuable type of information that can be provided to the agent is a 30 sorting of prospects by action. Such sortings allow the agent to allocate his or her time more

efficiently, by prioritizing or taking different steps with respect to prospects as a function of the actions taken by the prospects.

The manager may exert control over marketing activities of the marketing agents in any number of ways. Among the most useful ways of exerting control are modifying the

5 number or kind of prospects or advertising messages to whom a marketing agent has access. Another valuable control may be the number of sends that a marketing agent is authorized to make, perhaps for a given time period. It is especially contemplated that a given manager will control multiple marketing agents, and in such circumstances it may be useful for the manager to adjust the resources available to the various agents relative to one another,

10 including database and allocated sends. In particular, the manager may exercise at least some control over a relationship between the set of prospect information provided to the marketing agent and the second set of prospect information provided to the second marketing agent. The manager may alternatively or additionally exercise at least some control over a relationship between the set of advertising messages provided to the marketing agent and the

15 second set of advertising messages provided to the second marketing agent. The manager may alternatively or additionally exercise at least some control over a relationship between the authorized number of sends allocated to the marketing agent and an authorized number of sends allocated to the second marketing agent.

The manager may exert control over marketing activities of the marketing agents according to any number of criteria. One especially contemplated such criterion is the manager considering a percentage of responses received by the marketing agent relative to a number of sends initiated by the marketing agent. Another contemplated criterion may be the number of sales of one marketing agent relative to another. Still other contemplated criteria relate to how many agents are within a given tier in a multi-tier structure, or how many agents

25 or tiers are below a given agent. Thus, a company may contract to provide marketing services as discussed herein, and utilize five first-tier agents in that regard. Each of the first-tier agents may sign up two or three second-tier agents, who may in turn sign up third tier agents. At each level some or all of the agents may be companies or other organizations, individuals, or even machines.

30 In Figure 2 a method of conducting an advertising campaign 200 comprises the steps of: providing a marketing environment having a marketing agent and a manager cooperating

on the advertising campaign 210; providing the marketing agent with a set of prospect information and a set of advertising messages 220; the marketing agent taking an active role in at least one of: (a) selecting a recipient from the set of prospect information; (b) selecting a message from the set of advertising messages; and (c) electronically sending the message to the recipient 230; the recipient electronically responding to the message 240; tracking the recipient electronically responding to the message 250; and the manager exercising at least some control over at least one of: (a) the set of prospect information provided to the marketing agent; (b) the set of advertising messages provided to the marketing agent; and (c) an authorized number of sends allocated to the marketing agent 260.

As should now be apparent, a significant advantage to the above-described methods and systems is that they allow sales and marketing people to rapidly distinguish among suspects, prospects, and qualified prospects. This should be especially beneficial to insurance companies, health care providers, and other entities that market by winnowing down multiple leads to focus on qualified prospects. The addition of management oversight greatly facilitates control of that process.

Thus, specific embodiments and applications of agent managed virtual prospecting have been disclosed. It should be apparent, however, to those skilled in the art that many more modifications besides those already described are possible without departing from the inventive concepts herein. The inventive subject matter, therefore, is not to be restricted except in the spirit of the appended claims. Moreover, in interpreting both the specification and the claims, all terms should be interpreted in the broadest possible manner consistent with the context. In particular, the terms "comprises" and "comprising" should be interpreted as referring to elements, components, or steps in a non-exclusive manner, indicating that the referenced elements, components, or steps may be present, or utilized, or combined with other elements, components, or steps that are not expressly referenced.